

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#17

Applicant: Gary Allan KEMP, II et al.

Title: CLICK BASED TRADING WITH INTUITIVE GRID DISPLAY OF MARKET
DEPTH AND PRICE CONSOLIDATION

Appl. No.: 09/971,087

Filing Date: 10/05/2001

Examiner: R. Weisberger

Art Unit: 3624

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

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PO Box 1450
Alexandria, Virginia 22313-1450

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Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing of the first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

RELEVANCE OF EACH DOCUMENT

Document A24 discloses a commodity exchanging apparatus, commodity exchanging system, commodity exchange method and storage medium. An English translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language document (37 CFR §1.98 and MPEP §609). An English language abstract is provided herewith.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: October 20, 2003

By

 Reg No 41514

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5485
Facsimile: (202) 672-5399

William T. Ellis
Attorney for Applicant
Registration No. 26,874

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: October 20, 2003 <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/971,087
				Filing Date	10/05/2001
				First Named Inventor	Gay Allan KEMP, II
				Group Art Unit	3624
				Examiner Name	R. Weisberger
				Attorney Docket Number	024051/0146
Sheet	1	of	2		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,689,651		LOZMAN	11/18/1997	
	A2	5,774,877		PATTERSON, JR. ET AL.	06/30/1998	
	A3	5,793,301		PATTERSON, JR. ET AL.	08/11/1998	
	A4	5,797,002		PATTERSON, JR. ET AL.	08/18/1998	
	A5	5,845,266		LUPIEN ET AL.	12/01/1998	
	A6	5,915,245		PATTERSON, JR. ET AL.	06/22/1999	
	A7	5,963,923		GARBER	10/05/1999	
	A8	6,012,046		LUPIEN ET AL.	01/04/2000	
	A9	6,014,643		MINTON	01/11/2000	
	A10	6,098,051		LUPIEN ET AL.	08/01/2000	
	A11	6,195,647		MARTYN ET AL.	02/27/2001	
	A12	6,272,474		GARCIA	08/07/2001	
	A13	6,278,982		KORHAMMER ET AL.	08/21/2001	
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	A15	5,101,353		LUPIEN ET AL.	03/31/1992	
	A16	5,946,667		TULL, JR. ET AL.	08/31/1999	
	A17	6,035,287		STALLAERT ET AL.	03/07/2000	
	A18	4,674,044		KALMUS ET AL.	06/16/1987	
	A19	4,750,135		BOILEN	06/07/1988	
	A20	5,270,922		HIGGINS	12/14/1993	
	A21	5,924,083		SILVERMAN ET AL.	07/13/1999	
	A22	2002/0055899		WILLIAMS	05/09/2002	
	A23	2002/0138401		ALLEN ET AL.	09/26/2002	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A24	PCT	WO 95/26005	A1	BELZBERG, Sydney H.	09/28/1995		
	A25	PCT	WO99/30259	A1	NIPPON STEEL CORPORATION	06/17/1999		Abs.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ⁶
	A26	www.tradingtechnologies.com/products/xtrade_full.html		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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				Attorney Docket Number	024051/0146
Sheet	2	of	2		

NON PATENT LITERATURE DOCUMENTS			
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	A27	JIM KHAROUF et al., "A trading room with a view", Futures, November 1998, 6 pages, Vol. 27-No. 11.	

Examiner Signature		Date Considered	
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